IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

THE HON'BLE SRI JUSTICE S.ANANDA REDDY

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WRIT PETITION NO : 18173 of 2005

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Date: 18.08.2005

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Between:

Kondugalla Bala, S/o. late Sanjanna,

R/o.Dorakottala Village, Allagadda Mandal,

Kurnool District.

PETITIONER

Vs.

1. The Chief General Manager,

   Telecom, Bharat Sanchar Nigam Limited,

   A.P., Hyderabad and others.

RESPONDENT

THE HON'BLE SRI JUSTICE S.ANANDA REDDY

WRIT PETITION NO : 18173 of 2005

ORDER:

This writ petition is filed by the petitioner seeking Writ of *Mandamus* directing the respondents 1 to 3 to reinstate him to the post of Junior Telecom Officer under Scheduled Tribe quota and pass such other or further orders.

2. The case of the petitioner is that he is a resident of Ahobilam Village, Allagadda Taluk, Kurnool District. It is also his case that he belongs to “Chenchu” Community, which is recognized as a Scheduled Tribe as per the Scheduled Caste and Scheduled Tribe Modification Order, 1956. The petitioner claims that the Mandal Revenue Officer, Allagadda, also issued a certificate to that effect. Therefore, based on the said certificate, he applied for the post of Junior Telecom Officer and was selected as such and posted at Kanekal, Anantapur District on 05.04.2002. But, however, respondents 1 to 3 referred the matter to the fourth respondent- District Collector, Kurnool, for verification of the social status of the petitioner. The fourth

respondent stated to have reported that the petitioner does not belong to Scheduled Tribe, but belongs to a caste, which is recognized as a Scheduled Caste.

3. The grievance of the petitioner is that though the Certificate issued by the Mandal Revenue Officer, Allagadda, was not cancelled, but respondents 1 to 3 have removed him from service, based on the report of the fourth respondent-District Collector. Thereafter, he approached the fourth respondent, but he could not get any response from the fourth respondent. Therefore, he has come up with the present writ petition again seeking a direction to respondents 1 to 3 for reinstatement into service either under the Scheduled Tribe quota or under any other quota.

4. Heard the learned counsel for the petitioner and the learned Government Pleader.

5. As the petitioner's social status is in dispute, it is proper for the fourth respondent to conduct necessary enquiry and pass appropriate orders, after giving opportunity to the petitioner, including canceling the Caste Certificate that was issued by the Mandal Revenue Officer, Allagadda, to the petitioner declaring that the petitioner belongs to "Chenchu" Caste, which is notified as a Scheduled Tribe. As no such enquiry was conducted, but only a report was sent by the fourth respondent to respondents 1 to 3, based on which, the petitioner was removed from service, this Court is of the opinion that it would be just and proper to direct the fourth respondent to make necessary enquiry with reference to the certificate issued by the Mandal Revenue Officer, Allagadda on 06.04.1996.

6 . In these circumstances, the writ petition is disposed of directing the fourth respondent – District Collector, Kurnool to conduct necessary enquiry expeditiously and complete the same within a period of three months from the date of receipt of a copy of this order. The petitioner is also directed to make a representation for declaring his Social Status, within a period of two weeks from today.

7. The writ petition is accordingly disposed of. No order as to costs.

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S. Ananda Reddy, J

Date: 18.08.2005

Note: Furnish CC in 3 days

B/o

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